

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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NATHAN ANDREW BRYANT,

Civil No. 10-4788 (JRT/JJG)

Plaintiffs,

v.

**ORDER ADOPTING THE REPORT  
AND RECOMMENDATION OF THE  
MAGISTRATE JUDGE**

NATIONAL SECURITY AGENCY,

Defendants.

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**Nathan Andrew Bryant**, 2730 Dale Street North, Condo # 212, Roseville,  
MN 55113, *pro se*.

Plaintiff Nathan Andrew Bryant brought this action against the National Security Agency (“NSA”) on December 3, 2010. (Compl., Docket No. 1.) He also sought leave to proceed *in forma pauperis* (“IFP”). (Docket No. 2.) United States Magistrate Judge Jeanne J. Graham issued a Report and Recommendation on December 9, 2010, recommending that the Court deny Bryant’s IFP application and summarily dismiss this action because it is frivolous and because the only named defendant is immune from suit. (Docket No. 6.) Before the Court is Bryant’s timely objection to the Report and Recommendation (Docket No. 11), which the Court reviews *de novo*. 28 U.S.C. § 636(b)(1)(C); D. Minn. Local R. 72.2. Because the complaint is frivolous, the Court overrules Bryant’s objection, adopts the Magistrate Judge’s Report and Recommendation in its entirety, denies Bryant’s motion to proceed IFP and all other subsequently filed motions, and dismisses the action.

Bryant alleges that he applied for a job with the NSA, and that the NSA subsequently began to harass him. (Compl., Docket No. 1, at 12.) He claims that, with the assistance of other federal agencies including the Federal Bureau of Investigation (“FBI”), the NSA has been interfering with his education, his employment, and his relationship with his family. (*Id.* at 11.) He also claims that the NSA is torturing him by beaming an “analog signal” into his body, which causes him pain in his ears, mouth, and throat. (*Id.*) He speculates that the NSA might be prejudiced against him because he is a Nazi, a homosexual, and a “follower of Satan.” (*Id.* at 14.) He alleges that the Director of the FBI, a man named Daugherty<sup>1</sup> sent an analog signal into his home telling Bryant that he wanted him dead. (*Id.* at 12.) Bryant claims that he wants to flee to Germany to “escape NSA persecution.” (*Id.*) He is seeking a judgment against the NSA for \$20,000,000 for redress of injuries and to finance his emigration. (*Id.* at 1, 13.) In addition to Bryant’s application for leave to proceed IFP, Bryant has also filed numerous additional self-styled motions, including but not limited to a Motion for Court’s Recognition of Statute, 460, Deportation and Motion for Leave to Continue as an Original Action. (Docket Nos. 7, 18.)

The Court must summarily dismiss an action, if the plaintiff has filed a complaint that is frivolous. 28 U.S.C. § 1915(e)(2)(B)(i). A complaint may not be dismissed “simply because the court finds the plaintiff’s allegations unlikely.” *Denton v. Hernandez*, 504 U.S. 25, 33 (1992). Section 1915(e)(2)(B)(i), however, “accords judges . . . the unusual power to pierce the veil of the complaint’s factual allegations and dismiss

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<sup>1</sup> The Director of the FBI is Robert S. Mueller, III.

those claims whose factual contentions are clearly baseless.” *Neitzke v. Williams*, 490 U.S. 319, 327 (1989). Examples of this category include “claims describing fantastic or delusional scenarios . . . .” *Id.* at 328; *see also Denton*, 504 U.S. at 33 ( “[A] finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible . . . .”).

After a review of the record, including Bryant’s numerous filings and memoranda of law, the Court readily agrees with the Magistrate Judge’s determination that Bryant’s claims meet the standard for dismissal on the ground of frivolousness. His claims that the NSA and other government agencies have spent several years harassing him and tormenting him with “analog signals” are beyond unlikely; they are irrational. Accordingly, the Court summarily dismisses Bryant’s complaint, and denies Bryant’s IFP application as well as all other pending motions.

### **ORDER**

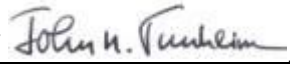
Based on the foregoing of all the records, files, and proceedings herein, the Court **OVERRULES** Plaintiff’s objections [Docket No. 11], and **ADOPTS** the Magistrate Judge’s Report and Recommendation [Docket No. 6]. Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff’s application to proceed *in forma pauperis* [Docket No. 2] is **DENIED**.
2. This action is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

**IT IS FURTHER HEREBY ORDERED** that all other pending motions [Docket Nos. 3, 7, 8, 12, 13, 18, 20, 25, 26, and 28] are **DENIED as moot**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

DATED: May 23, 2011  
at Minneapolis, Minnesota.

s/   
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JOHN R. TUNHEIM  
United States District Judge